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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/626,096	07/26/2000	Robert M Umek	067456-5030-US	8157
67374 7590 11/10/2009 MORGAN, LEWIS & BOCKIUS, LLP (SF) ONE MARKET SPEAR STREET TOWER SAN FRANCISCO, CA 94105				
EXAMINER CALAMITA, HEATHER				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ROBERT M. UMEK, GARY BLACKBURN,
BRUCE D. IRVINE, ROBERT H. TERBRUEGGEN,
CHANGJUN YU, and JOST G. VIELMETTER

Application No. 09/626,096
Technology Center 1600

Mailed: November 10, 2009

Before DELORES LOWE, *Review Team Paralegal*
LOWE, *Review Team Paralegal*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on November 9, 2009. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

EXAMINER'S CONSIDERATION OF APPEAL BRIEF

Appeal Brief was filed in this application on October 13, 2009. There is no evidence on the record indicating that the Examiner has considered the Appeal Brief.

CONCLUSION

Accordingly, it is ORDERED that the application be returned to the Examiner:

- 1) consider the Appeal Brief filed October 13, 2009, as indicated above; and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

dal

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